

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

E.P.S.S. INCORPORATED

ALLEGED VIOLATION OF COMMISSION
REGULATION 807 KAR 5:071

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) CASE NO. 92-017
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O R D E R

E.P.S.S. Incorporated ("E.P.S.S.") is a Kentucky corporation which owns and operates the subdivision treatment facility plant providing sewer service for compensation to the residents of the Executive Park Subdivision of Madison County, Kentucky and, therefore, is a utility under Commission jurisdiction. KRS 278.010(3)(f).

KRS 278.280 authorizes the Commission to prescribe rules for performance of any service furnished or supplied by a utility. Pursuant to this authority, the Commission has promulgated Commission Regulation 807 KAR 5:071, Section 7, which requires sewage treatment facilities to be constructed, installed, maintained, and operated in accordance with accepted good engineering practice.

On December 16, 1991, Commission Staff inspected E.P.S.S.'s facilities for compliance with Commission regulations. In its report of this inspection, dated December 18, 1991, Commission Staff listed 14 instances where the utility's

maintenance and operation were not in accordance with accepted good engineering practices.

Having reviewed the report of this inspection and being otherwise sufficiently advised, the Commission finds that a prima facie showing has been made that E.P.S.S. is in violation of Commission Regulation 807 KAR 5:071, Section 7(1).

The Commission, on its own motion, HEREBY ORDERS that:

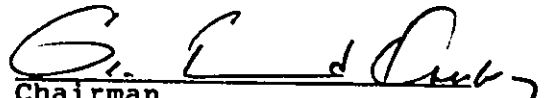
1. E.P.S.S. shall appear before the Commission on February 14, 1991 at 9:00 a.m., Eastern Standard Time, in Hearing Room 2 of the Commission's offices at 677 Comanche Trail, Frankfort, Kentucky, for the purpose of presenting evidence concerning the maintenance and operation of its sewage treatment facilities, specifically, the alleged violations of Commission Regulation 807 KAR 5:071, Section 7(1), and of showing cause why it should not be subject to the penalties prescribed in KRS 278.990 for its alleged failure to comply with Commission regulations.

2. The Inspection Report of December 18, 1991, a copy of which is appended hereto, is made part of the record of this proceeding.


3. E.P.S.S. shall submit to the Commission a written response to the allegations contained in the Inspection Report within 14 days of the date of this Order.

Done at Frankfort, Kentucky, this 13th day of January, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

Commonwealth of Kentucky
Public Service Commission

UTILITY REINSPECTION REPORT

E.P.S.S., Inc.
Berea, Kentucky

On December 16, 1991, a reinspection of E.P.S.S., Inc. was conducted. The purpose of the reinspection was to see under what conditions the plant was operating. During the reinspection it was found that the improvements or corrections necessary to bring this facility into compliance with KRS Chapter 278 and PSC regulations (807 KAR) are as follows:

Deficiencies Common to Plant 1 and 2

1. The divider box needs to be cleaned. (807 KAR 5:071, Section 7,1)
2. The bar screen needs to be used or a comminutor installed. (807 KAR 5:071, Section 7,1)
3. All exposed electrical wiring needs to be protected. (807 KAR 5:071, Section 7,1)
4. The plant is currently being operated without a comminutor. As long as the plant can be operated satisfactorily and produce an acceptable effluent the Commission may not require the use of a comminutor. However, the utility must monitor plant operations and immediately install a functioning comminutor should conditions warrant. (807 KAR 5:071, Section 7,1)
5. The effluent needs to be chlorinated. (807 KAR 5:071, Section 7,1)
6. A backup blower/motor unit or immediate access to one is needed in case of an emergency. (807 KAR 5:071, Section 7,1)
7. The chlorine contact basin needs to be checked for sludge deposits and if found removed. (807 KAR 5:071, Section 7,1)

8. The door to the circuit breaker box needs to be kept shut. (807 KAR 5:071, Section 7,1)

Small Plant

1. One skimmer needs to be made operational. (807 KAR 5:071, Section 7,1)
2. One sludge return needs to be made operational. (807 KAR 5:071, Section 7,1)
3. The thick scum on the surface of the clarifier needs to be removed. (807 KAR 5:071, Section 7,1)

Large Plant

1. One diffuser drop needs to be replaced. (807 KAR 5:071, Section 7,1)
2. One diffuser needs to be checked and repaired or replaced as necessary. (807 KAR 5:071, Section 7,1)
3. The scum on the surface of the clarifier needs to be removed. (807 KAR 5:071, Section 7,1)

Submitted,
December 18, 1991


Larry N. Updike
Utility Investigator

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